

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER		Docket Number: 12839/1	
Application Number 09/673,871	Filing Date November 30, 2000	Examiner	Art Unit
Patent Number 7,348,361	Issue Date March 25, 2008		
Invention Title Solution for Diagnosing or Treating Tissue Pathologies		Inventor(s) Marti <i>et al.</i>	

Address to:
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450
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SIR:

PATENT TERM EXTENSION APPLICATION UNDER 35 U.S.C. § 156

Please find enclosed the following document filed in connection with the above-referenced patent:

1. Disclosure pursuant to 37 C.F.R. § 1.765.

The undersigned believes that no fee is due in connection with this paper. Please charge any underpayment or any additional fees that may be required to Deposit Account No. 11-0600.

Respectfully submitted,

Dated: October 19, 2010

/Lawrence H. Frank/
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IN THE U.S. PATENT AND TRADEMARK OFFICE

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Commissioner for Patents
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DISCLOSURE PURSUANT TO 37 C.F.R. § 1.765

in re

APPLICATION FOR EXTENSION OF THE TERM OF
U.S. PATENT NO. 7,348,361 UNDER 35 U.S.C. § 156

Sir:

Pursuant to the duty of disclosure set forth in 37 C.F.R. § 1.765, the undersigned hereby informs the Commissioner that Applicant has applied for extension of the term of TWO patents on the basis of the regulatory review period of CYSVIEW™ (hexaminolevulinate hydrochloride) for Intravesical Solution. The relevant regulatory application numbers and dates are as follows:

IND number:	51.224
IND effective date:	October 29, 2001
NDA number:	NDA 22-555
NDA submission date:	June 30, 2009
NDA approval date:	May 28, 2010

The two patents are:

U.S. Patent No. **7,348,361** (U.S. Patent Appl. No. 09/673,871) (captioned above) and

U.S. Patent No. **7,247,655** (U.S. Patent Appl. No. 10/410,636).

The undersigned is aware that a single regulatory review period can serve as the basis for extension of no more than one patent. 35 U.S.C. § 156(c)(4). The undersigned is further aware that, pursuant to 37 C.F.R. § 1.785 and M.P.E.P. § 2761, if a single regulatory review period serves as the basis for two or more applications for patent term extension, and the Commissioner determines that two or more patents satisfy the requirements for extension but for the fact that the underlying extension applications are based on the same regulatory review period, the Commissioner will afford the Applicant an opportunity to elect the patent to be extended.

Respectfully submitted,

Dated: October 19, 2010

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